

Jun 29, 2023

ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S.D. OF FLA. - MIAMI

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

**23- 20277-CR-MARTINEZ/BECERRA**  
CASE NO.

18 U.S.C. § 2252(a)(1) and (b)(1)  
18 U.S.C. § 2252(a)(4)(B) and (b)(2)  
18 U.S.C. § 2253(a)

UNITED STATES OF AMERICA

v.

EDGAR SAENZ OTERO,

Defendant.

**INDICTMENT**

The Grand Jury charges that:

**COUNT 1**  
**Transportation of Child Pornography**  
(18 U.S.C. § 2252(a)(1) and (b)(1))

On or about July 7, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

EDGAR SAENZ OTERO,

did knowingly transport any visual depiction, using any means and facility of interstate and foreign commerce, and the production of such visual depiction involved the use of a minor engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and such visual depiction was of such conduct, in violation of Title 18, United States Code, Section 2252(a)(1) and (b)(1).

**COUNT 2**  
**Possession of Child Pornography**  
(18 U.S.C. § 2252(a)(4)(B) and (b)(2))

On or about July 7, 2022, in Miami-Dade County, in the Southern District of Florida, and

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**Defendant.**

**INDICTMENT**

The Grand Jury charges that:

**COUNT 1**  
**Transportation of Child Pornography**  
**(18 U.S.C. § 2252(a)(1) and (b)(1))**

On or about July 7, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

**EDGAR SAENZ OTERO,**

did knowingly transport any visual depiction, using any means and facility of interstate and foreign commerce, and the production of such visual depiction involved the use of a minor engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and such visual depiction was of such conduct, in violation of Title 18, United States Code, Section 2252(a)(1) and (b)(1).

**COUNT 2**  
**Possession of Child Pornography**  
**(18 U.S.C. § 2252(a)(4)(B) and (b)(2))**

On or about July 7, 2022, in Miami-Dade County, in the Southern District of Florida, and

elsewhere, the defendant,

**EDGAR SAENZ OTERO,**

did knowingly possess matter, which contained any visual depiction that had been shipped and transported using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, and which was produced using materials which had been so shipped and transported, by any means, including by computer, and the production of such visual depiction having involved the use of a minor engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and such visual depiction was of such conduct, in violation of Title 18, United States Code, Section 2252(a)(4)(B) and (b)(2).

Pursuant to Title 18, United States Code, Section 2252(b)(2), it is further alleged that such visual depiction involved a prepubescent minor and a minor who had not yet attained twelve years of age.

**FORFEITURE ALLEGATIONS**

1. The allegations of this Indictment are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **EDGAR SAENZ OTERO**, has an interest.

2. Upon conviction of a violation of Title 18, United States Code, Section 2252, as alleged in this Indictment, the defendant shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2253(a):

- a. any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, or 2252, or any book, magazine periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Chapter 110;

b. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and

c. any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

3. The property subject to forfeiture as a result of the alleged offenses includes, but is not limited to, the following:

- (i) iPhone 12, bearing serial number DNPDTWF20DXP; and
- (ii) HP Envy Laptop, bearing serial number 8CG8388N7B.

All pursuant to Title 18, United States Code, Section 2253(a), and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 18, United States Code, Section 2253(b).

A TRUE BILL



FOREPERSON

*[Signature]*  
fml MARKENZY LAPOINTE  
UNITED STATES ATTORNEY

*[Signature]*  
AUDREY PENCE TOMANELLI  
ASSISTANT UNITED STATES ATTORNEY